

UNPUBLISHED**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 23-6281

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOHN DOE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Wilmington. Richard E. Myers, II, Chief District Judge. (7:01-cr-00027-M-1)

Submitted: February 29, 2024

Decided: April 18, 2024

Before WYNN and RICHARDSON, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

John Doe, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Doe filed several motions seeking relief under Section 404 of the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194, and the compassionate release statute, 18 U.S.C. § 3582(c)(1)(A), as amended by the First Step Act. The district court denied relief and, on appeal, we vacated the district court's orders. *United States v. Doe*, No. 20-6165(L), 2022 WL 17413555 (4th Cir. Dec. 5, 2022). On remand, the district court held a hearing and, ruling from the bench, denied Doe's motions. Doe again appeals.

We review for abuse of discretion a district court's decision whether to grant a reduction under the First Step Act, either under Section 404 or the compassionate release statute. *See United States v. Kibble*, 992 F.3d 326, 329 (4th Cir. 2021) (compassionate release); *United States v. Jackson*, 952 F.3d 492, 497 (4th Cir. 2020) (Section 404). “A district court abuses its discretion when it acts arbitrarily or irrationally, fails to consider judicially recognized factors constraining its exercise of discretion, relies on erroneous factual or legal premises, or commits an error of law.” *United States v. Jenkins*, 22 F.4th 162, 167 (4th Cir. 2021) (internal quotation marks omitted). After reviewing the record, we discern no abuse of discretion.

Accordingly, we affirm the district court's decision. While we grant Doe's motion to proceed by pseudonym, we deny his other pending motions. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED